

5-2-07

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Attorney Docket No.: AM-8893

U.S. Express Mail No. EB 125488202 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Ki-Ho Baik, et al.

§ GROUP ART UNIT: 1763

SERIAL NO.: 10/817,140

§
§

FILED: April 2, 2004

§ EXAMINER: B.L. Raymond

FOR: METHOD OF IMPROVING THE UNIFORMITY
OF A PATTERNED RESIST ON A PHOTOMASK

§
§
§ ATTORNEY DOCKET NO.:
§ AM-8893

Date: April 30, 2007

**RESUBMISSION OF AMENDMENT "A" UNDER 37 C.F.R. §1.111
IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
TRANSMITTAL LETTER**

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

Sir:

Submitted herewith is applicants' Amendment "A" in response to the Notice of Non-Compliant Amendment, mailed on April 9, 2007, which has a shortened statutory period for response of May 9, 2007. Also submitted, for reference purposes is a copy of the Notice of Non-Compliant Amendment which was mailed April 9, 2007, and a copy of the MPEP Section 1.121 which applicants contend has been misapplied by Legal Instruments Examiner Veronica Augburn-Seaforth.

CERTIFICATE OF MAILING UNDER 37 CFR § 1.10

I hereby certify that this paper is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as U.S. EXPRESS MAIL NO. EB 125488202 US in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: April 30, 2007

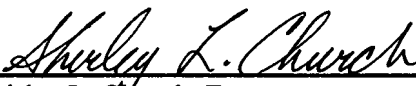

Shirley L. Church, Reg. No. 31,858

CALCULATION OF FEES DUE					
	Number of Claims	Highest No. of Claims Previously Paid For	Extra Claims Present	Rate	Fee
Total Claims	17	20	0	x \$50.00 =	\$ 0.00
Independent Claims	4	4	0	X \$200.00 =	\$ 0.00
If multiple dependent claims are presented, (add \$360.00)					\$ 0.00
TOTAL FEE DUE					\$ 0.00

Applicants do not believe that any fee is due in connection with the filing of this Amendment "A". However, the Commissioner is hereby authorized to charge any fees which may be due under 37 C.F.R. §1.16 and §1.17, which are required by this paper, to Deposit Account No. 50-1512 of Shirley L. Church, Esq., of San Diego, California.

This transmittal letter is submitted in duplicate for accounting purposes.

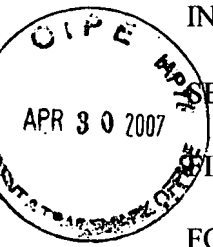
Respectfully submitted,


Shirley L. Church, Esq.
Attorney for Applicants
Registration No. 31,858
(858) 587-6633

Date: April 30, 2007

Correspondence Address:
Patent Counsel
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Santa Clara, CA 95052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE APPLICATION OF: Ki-Ho Baik et al.

SERIAL NO.: 10/817,140

FILED: April 2, 2004

FOR: METHOD OF IMPROVING THE UNIFORMITY OF A
PATTERNED RESIST ON A PHOTOMASK

§ GROUP ART UNIT: 1756

§

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§ EXAMINER: B. L. Raymond

§

§

§ Attorney Docket No.:

§ AM-8893

Date: April 30, 2007

AMENDMENT "A" UNDER 37 CFR § 1.111

**Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

Sir:

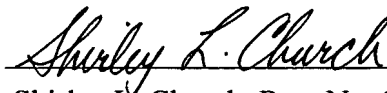
The present Amendment "A" is being resubmitted in response to the Notice of Non-Compliant Amendment mailed April 9, 2007, the notice having a shortened statutory period for response of May 9, 2007.

Applicants contend that the resubmission of this Amendment "A" is the result of an over-zealous clerk who has rejected the amendment in which strike-through was used to show deleted subject matter rather than brackets.

CERTIFICATE OF MAILING UNDER 37 CFR § 1.111

I hereby certify that this paper is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as U.S. EXPRESS MAIL NO. EB 125488202 US in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: April 27, 2007


Shirley L. Church, Reg. No. 31,858

Claims 1 - 17 are pending in the application.

Claims 4, 5 and 9 - 17 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 - 3 and 8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kirkpatrick (U.S. Patent Application 2006/0084229).

Claims 4 - 7 and 9 - 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kirpatrick in view of Itoh (U.S. Patent Application 2004/0058279).

Please amend the application as follows.